

IP.10527.00250.UTIPAT.DCL

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare: THAT my residence, post office address and citizenship are as stated below next to my name; THAT I verily believe I am the original, first and sole (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: (Utility) VARIABLE GAIN ACTIVE NOISE CANCELLATION SYSTEM WITH IMPROVED RESIDUAL NOISE SENSING, the specification of which:

[] is attached hereto.

[X] was filed on June 23, 1993, as Application Serial No. 08/082,402, and was amended on _____ (if applicable).

[] and amended in the attached Amendment.

THAT I do not know and do not believe that this invention was ever known or used in the United States of America before my or our invention or discovery thereof, or patented or described in any printed publication in any country before my or our invention or discovery thereof, or more than one year prior to this application;

THAT the invention was not in public use or on sale in the United States of America for more than one year prior to this application;

THAT this invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months before this application;

THAT I have reviewed and understand the contents of the above identified specification, including the claim(s), as amended by any amendment referred to above;

THAT I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 C.F.R. §1.56; and

THAT applications for patent or inventor's certificate on this invention or discovery which have been filed by me or my legal representatives or assigns in any country foreign to the United States of America are as follows (leave blank if none):

(a) none filed more than 12 months prior hereto, unless identified here:

_____, or

(b) earliest filed less than 12 months prior hereto, if any, the priority of which is hereby claimed under 35 U.S.C. 119. The foreign application(s) on which priority is claimed is: _____;
and other foreign applications having filing dates earlier than the application(s) on which priority is claimed are as follows: _____

And I hereby appoint, as my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, individually and collectively:

Page 2 of 2